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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

AT 8:30 M  
WILLIAM T. WALSH  
CLERK

PHL VARIABLE INSURANCE COMPANY,

Plaintiff,

v.

THE SYLVIA DIAMOND INSURANCE  
TRUST, by and through  
its trustee, ALAN RUBENSTEIN

Defendant.

**ORDER COMPELLING RESPONSES  
TO DISCOVERY REQUESTS AND  
AMENDING SCHEDULING ORDER**

CIVIL ACTION NO. 10-cv-1245 (GEB-DEA)

WHEREAS, the Court conducted a telephonic conference with counsel for the parties on August 26, 2010, regarding Plaintiff's informal application to compel responses to certain discovery requests; and

WHEREAS, the Court finds that good cause exists for the entry of this Order;

IT IS HEREBY ORDERED,

1. Defendant shall respond to Plaintiff's (a) First Requests for Production, (b) First Requests for Admission, and (c) First Set of Interrogatories on or before September 15, 2010;
2. Sylvia Diamond shall comply with the Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action, issued to her on July 13, 2010, on or before September 15, 2010;
3. David Kohn shall comply with the Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action, issued to him on July 13, 2010, on or before September 15, 2010; and

4. The Pretrial Scheduling Order dated May 14, 2010, document 20, is hereby amended to provide as follows:

- a. the parties will complete all depositions of fact witnesses by November 30, 2010; and
- b. the telephonic status conference previously scheduled for September 15, 2010, will be adjourned until November 15, 2010, at 10:00 am (EST). The purpose of this status conference is to discuss the necessity of expert testimony in this case as well as the filing of any dispositive motions.

IT IS SO ORDERED:

Dated: 9/1/10

By: 

Hon. Douglas E. Arpert  
United States Magistrate Judge